

## CMRS BOARD MEETING MINUTES

August 19, 2004

CMRS BOARD OFFICE  
21 MILLCREEK PARK  
FRANKFORT, KY

Board Members Present: David Lucas, Dee Hopper, Richard Guittar, Forest Skaggs, Rob South, Laura Phipps, Major Sonny Cease, Rodney Murphy, Acting Director, and Jennifer Jackson (Staff)

- I. Chair, Laura Phipps called the meeting to order at 1:10 p.m. and introduced John Steffen and Jill LeMaster from the Ethics Commission, Chris Nolan, attorney for T-Mobile, Erwin Roberts, Director of Homeland Security, and Dodd Harris, General Counsel for COT.
- II. John Steffen, General Counsel for Ethics Commission and Jill LeMaster, Executive Director of the Ethics Commission, gave a brief explanation of the model code of ethics that the commission is encouraging the Board to adopt. Dodd Harris, General Counsel for COT will draft something for the Board to consider that may better fit the needs of the individual board members.
- III. Administrators Report – Rodney gave update regarding the prepaid issue in that it is now a twofold issue, 1) there is the issue of non remittance of the surcharge and 2) there is an issue of whether carriers who wholesale service to the prepaid provider should bill the prepaid provider. This issue is causing some problems between “business partners”. Dodd Harris stated that he believes the statute clearly covers them and that if there is a gap in the statute the Board may be able to fill in the gap, via the regulation, until the legislative session and that according to past practice they should be paying.

Rodney is waiting for information from Pam Slagle with BellSouth regarding the PSAP interconnect project.

Rodney reported no change regarding the issue of trying to get a GIS position; so far he has not been able to get the staff position or a task order because of the general hiring freeze within state government. He further reported that he cannot get Tandy’s status changed from student to permanent part-time but hopes that the board can keep her for some time under student status.

The carrier audit report was presented to the Board for their review and comments/direction to be made at next meeting. A short discussion included whether the board should send an “educational” letter to all carriers to inform them that the CMRS surcharge is not subject to exemption for subscribers who are tax exempt and that prepaid subscribers are responsible for paying the surcharge. This subject will be discussed further at the next meeting. Rodney asked the board members to think about the Tennessee prepaid legislation and how Kentucky may use that detail in some legislation.

- IV. Personnel Committee – Dee Hopper made a motion to go into special closed session to discuss issues regarding a recommendation for appointment to the Administrator’s position. David Lucas seconded all were in favor. The meeting went into closed session at 2:10 PM. Closed session pursuant to KRS 61.810 (f).
- V. Open meeting was resumed at 2:33 PM. Rob South made a motion that the Board accepts the recommendation made by the personnel committee to submit names to Governor Fletcher for selection for Administrator’s position. Richard Guittar seconded. Sonny Cease abstained; all others were in favor and the motion carried. Rodney will find out what forms need to be completed to forward information to the Governor’s office.
- VI. Cost Recovery Committee – Richard reported that the committee has two plans in hand. The committee still has questions regarding the Cingular plan and the Committee has just recently received the Bluegrass amendment and has not had a chance to review it. Both plans are deferred until next meeting.

- VII. Minutes – The minutes from the July 22<sup>nd</sup> meeting were discussed and amendments noted with a motion from David Lucas and a second from Forest Skaggs to approve. After some discussion the motion was withdrawn and approval of those minutes was deferred until next meeting when all board members have had a chance to more closely review them.
- VIII. PSAP Committee – Forest reported that the committee has not met but committee members may pick up copies of PSAP certification applications and they will meet before the next board meeting.
- IX. Dee Hopper made a motion to adjourn at 2:55, Richard seconded, and all were in favor.